

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Craig S. Jones, *et al.*,

Plaintiffs,

v.

**Kerry A. Allen, Plan,
Administrator, *et al.***

Defendants.

Case No. 2:11-cv-380

**Judge Michael H. Watson
Magistrate Judge Kemp**

ORDER


On January 30, 2014, United States Magistrate Judge Kemp, to whom this case was referred pursuant to 28 U.S.C. § 636(b)(1)(B) and General Order 95-2 for the Southern District of Ohio Eastern Division, filed a Report and Recommendation concerning the disposition of Defendants' motion for judgment on the pleadings as to Count II of this ERISA case. ECF No. 162. The Report and Recommendation recommended denying the motion.

The Report and Recommendation notified the parties of their right to file objections to the Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1). The Report and Recommendation further specifically advised the parties that the failure to object to the Report and Recommendation within fourteen days would result in a waiver of both the right to *de novo* review by the District Judge and the right to appeal the decision of the District Court adopting

the Report and Recommendation. Report and Recommendation 16, ECF No. 162. The deadline for filing such objections has passed, and no objections were filed.

Accordingly, having received no objections, the Report and Recommendation is **ADOPTED**, and Defendants' motion for judgment on the pleadings, ECF No. 86, is denied. The Clerk shall remove ECF No. 86 from the Civil Justice Reform Act motions report

IT IS SO ORDERED.


MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT